

DECLARATORY

Improvement Res. No. 1129-1964

For the Vacation of Townsend Street from
the south property line of Taylor Street to
its southern terminus.

Resolution Adopted: May 20, 1964

Confirmed: May 20, 1964

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed:
Jan. 14, 1965

B.O. 2-164

DECLARATORY RESOLUTION NO. 1129

For the Vacation of Townsend Street from the south property line of Taylor Street to its southern terminus.

PLANS ORDERED:

ADOPTED: May 20, 1964

ADVERTISE NOTICE TO PROPERTY OWNERS: WAIVER SIGNED

HEARING ON CONFIRMATION:

CONFIRMED: May 20, 1964

ASSESSMENT ROLL ORDERED: May 20, 1964

ASSESSMENT ROLL APPROVED: Dec. 16, 1964

HEARING ON CONFIRMATION
OF ASSESSMENT ROLL: Thurs., Jan. 14, 1965 3:30 p. m.

NOTICE SERVED: Dec. 30, 1964

ASSESSMENT ROLL CONFIRMED: Jan. 14, 1965

For the Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ of Townsend Street from the south property line of Taylor Street to its southern terminus.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate Townsend Street from the south property line of Taylor Street to its southern terminus.

All as shown by a plan of such proposed Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ is described as follows: Lots 188 to 209 inclusive, Commercial 2nd Addition; Part of Lot 18, Rockhill Brothers Out Lots and space south of Lot No. 18, Rockhill Brothers Out Lots. Said additions and space are inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

A portion ~~The vacation~~ of the above described street shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.

All Streets, lots and lands affected by the above described vacation are situated in the southeast quarter of Section Nine, Township 30 North, Range 12 East and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 20 DAY OF May 1964

Attest:

Secretary Board of Public Works.

Robert W. Dahman

Board of Public Works.

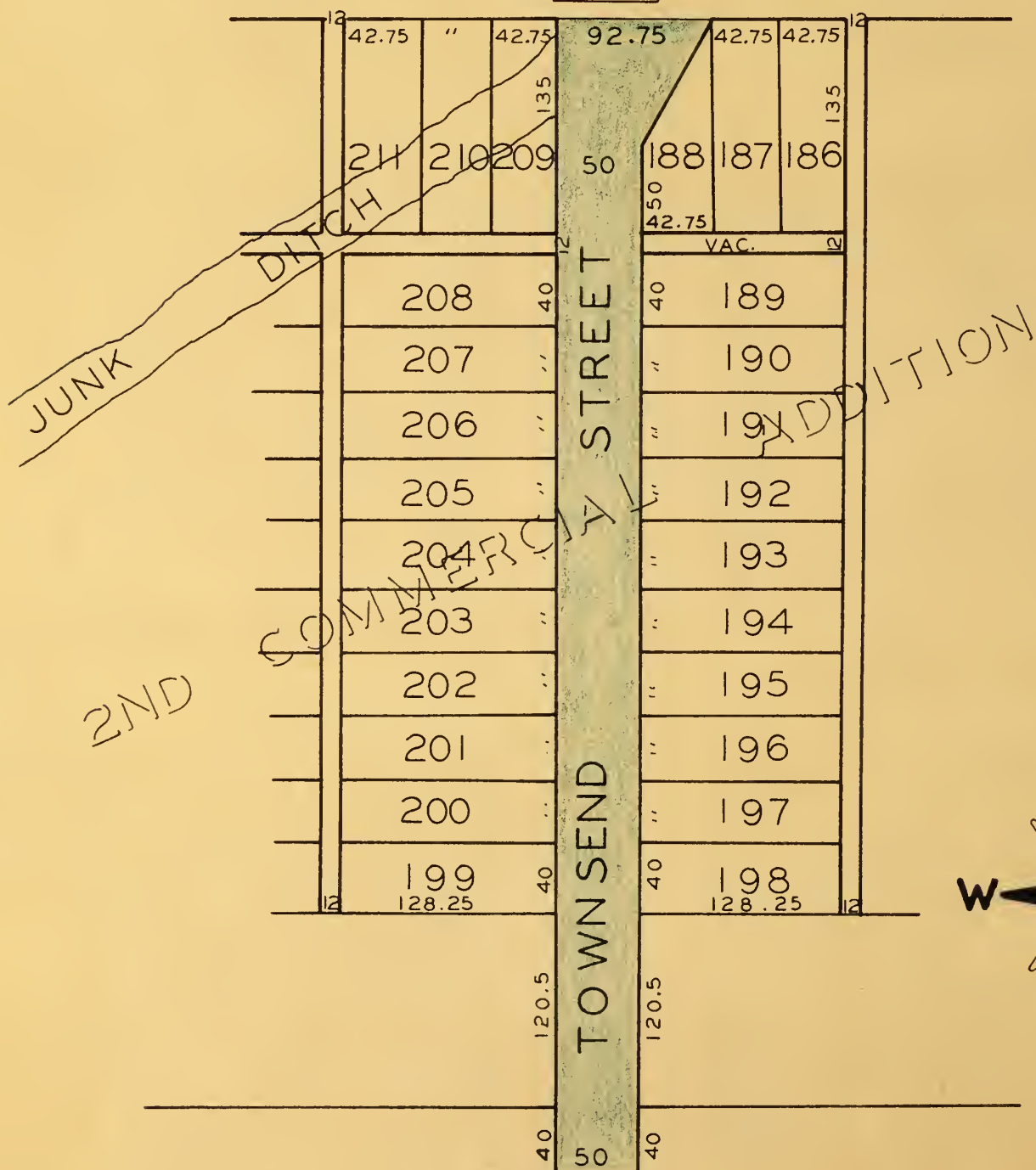


STREET TO BE VACATED

TAYLOR



STREET



B.O. 9-'64

January 15, 1964

City Engineer

Vacation - Townsend Street

We have a petition submitted by the American Hoist & Derrick Company to vacate Townsend Street running North and South from Taylor Street on the North to the North line of Rockhill Brothers Outlots on the South. Said vacation is pursuant with the opening and improving of Bright Street.

A Waiver has been signed by affected property owners.

Grant of Easement is also attached in the event of said vacation.

Prepare an opinion after conferring with all governmental agencies and utilities.

, Clerk

BOARD OF PUBLIC WORKS

KM:ms

enc.

NOTED
☒ F.S.E.
☐ R.W.D.
☐ G.F.G.
Date _____

May 8, 1964

Mr. Donald Bodeker
Office Manager
City Engineers Office
Fort Wayne, Indiana

Dear Mr. Bodeker:

Re: Vacation of Townsend Street from the south property line of Taylor Street to its southern terminus. Also, the vacation of the first alley south of Taylor Street from the east property line of Bright Street to the west property line of the first alley east of Bright Street.

We have no objection to the proposed vacation of the alley as described above since the alley would be of no useful purpose for circulation of traffic. Also, a large part of the alley is presently within the limits of the Junk Ditch (Spillway).

Also, we do not object to the proposed vacation of Townsend Street as described above providing provision is made for access to the Virginia-Carolina Chemical Company which lies south of the south terminus of Townsend Street. It would appear from our field observation that Townsend Street is the only means of vehicular access to the Virginia-Carolina Chemical Company from the north and, consequently, unless provision is made for this access, the Virginia-Carolina Chemical Company would be landlocked from the north and east. If a definite permanent provision is made for vehicular access to the Virginia-Carolina Chemical Company, we would have no objection to this proposed vacation of Townsend Street.

Sincerely,

CITY PLAN COMMISSION

William J. Jones
Planning Director

WJJ:mo

cc: Mayor Harold S. Zeis
Board of Public Works

BOARD OF PUBLIC WORKS

MAY 11 1964

City of Fort Wayne



OFFICE OF
CITY PLAN COMMISSION

FORT WAYNE, INDIANA

425 SOUTH CALHOUN STREET

May 8, 1964

Mr. Donald Bodeker
Office Manager
City Engineers Office
Fort Wayne, Indiana

Dear Mr. Bodeker:

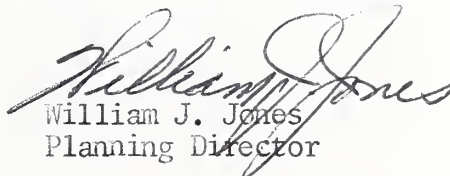
Re: Vacation of Townsend Street from the south property line of Taylor Street to its southern terminus. Also, the vacation of the first alley south of Taylor Street from the east property line of Bright Street to the west property line of the first alley east of Bright Street.

We have no objection to the proposed vacation of the alley as described above since the alley would be of no useful purpose for circulation of traffic. Also, a large part of the alley is presently within the limits of the Junk Ditch (Spillway).

Also, we do not object to the proposed vacation of Townsend Street as described above providing provision is made for access to the Virginia-Carolina Chemical Company which lies south of the south terminus of Townsend Street. It would appear from our field observation that Townsend Street is the only means of vehicular access to the Virginia-Carolina Chemical Company from the north and, consequently, unless provision is made for this access, the Virginia-Carolina Chemical Company would be landlocked from the north and east. If a definite permanent provision is made for vehicular access to the Virginia-Carolina Chemical Company, we would have no objection to this proposed vacation of Townsend Street.

Sincerely,

CITY PLAN COMMISSION


William J. Jones
Planning Director

WJJ:mo

cc: Mayor Harold S. Zeis
Board of Public Works

1129

P E T I T I O N

Fort Wayne, Ind., _____

To the Board of Public Works of the City of Fort Wayne:

Gentlemen:

The undersigned, owners of real

estate on both sides of Townsend Street, Fort Wayne, Indiana, from
Taylor Street on the North to the North line of the Wabash Railroad on the South
~~respectfully petition for the passage of a resolution providing for the~~
and both sides of the alley lying South of Lots 212, 213 and 214 Second Commercial Addition to
the City of Fort Wayne, Allen County, Indiana, and North of Lot 215 in said Addition, respectfully
petition for the passage of a resolution providing for the vacation of the following street and alley,
to-wit:

1. Townsend Street running North and South from Taylor Street on the North to a line parallel
to and 40 feet South of the South line of Rockhill Brothers Out Lot 18 on the South in the City of
Fort Wayne, Allen County, Indiana, and

2. The alley South of Lots 212, 213 and 214 and North of Lot 215 in Second Commercial Addition
to the City of Fort Wayne, Allen County, Indiana, running East and West from Bright Street on
the West to the West line of the vacated alley running North and South between Townsend Street
and Bright Street.

That Virginia Carolina Chemical Corporation and Wabash Railroad Company as the owners of
lands to the South of said areas to be vacated are the only persons, firms or corporation which might
be affected and each has filed its waiver of notice of hearing and right to remonstrate herein.

AMERICAN HOIST & DERRICK COMPANY

By Walter Cowell

Vice President

BOARD OF PUBLIC WORKS

RECEIVED
MAY 20 1964
RECEIVED

OFFICE OF
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

46-358-7

B.O. 9-'64

Date May 20, 1964

To City Engineer

Subject Dec. Res. 1129-1964 Townsend Street

Prepare Assessment Roll of Benefits \$1.00 and Damages \$1.00.

Fred S. Ehrman
Robert W. Dahman
George F. Gable
BOARD OF PUBLIC WORKS

ic
attach Res. & P. O. List

NOTED

☒ F.S.E.
☐ R.W.D.
☐ G.F.G.

Date _____

Signed _____

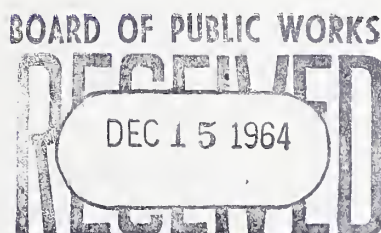
Reply:

December 14, 1964

Assessment Roll of Benefits and Damages completed and attached.

Walter H. Meitz
City Engineer

DEB:is
attachs.



Signed _____

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

ENGINEERING
DEPT. OF STREETS

DATE December 22, 1964

TO: Board of Public Works

SUBJECT: Board Order 9-1964

NOTED

☒ F.S.E.

☒ R.W.D.


☐ G.F.G.

Date _____

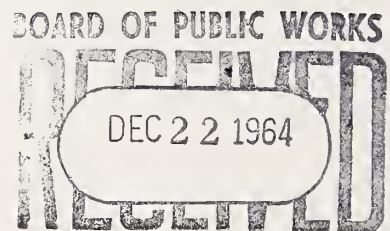
The original copy of an easement grant for Declaratory Resolution No. 1129-1964, which provides for the vacation of Townsend Street from the south property line of Taylor Street to its southern terminus, is attached.

This grant has been signed by all property owners involved and recorded in the office of the Allen County Recorder. It should be filed with the resolution as a permanent record.

Copies have been distributed to each Utility Company with facilities affected.


Walter H. Meitz
City Engineer

DEB:is
attachs.



ENGINEERING DEPARTMENT
DEPARTMENT OF STREETS



FORT WAYNE 2, INDIANA

7

NOTED

Date January 15, 1964

☒ F.S.E.
☐ R.W.D.
☐ G.F.G.

Date _____

B.O. 9-'64

To City Engineer

Subject Vacation - Townsend Street

We have a petition submitted by the American Hoist & Derrick Company to vacate Townsend Street running North and South from Taylor Street on the North to the North line of Rockhill Brothers Outlots on the South. Said vacation is pursuant with the opening and improving of Bright Street.

A Waiver has been signed by affected property owners.

Grant of Easement is also attached in the event of said vacation.

Prepare an opinion after conferring with all governmental agencies and utilities.

Kenneth McGraw, Clerk
BOARD OF PUBLIC WORKS

KM:ms

enc. DUPLICATE - ORIGINAL DESTROYED IN THIS OFFICE!

Signed _____

Reply:

May 19, 1964

1129

Declaratory resolution, drawing and property ownership list completed and attached.

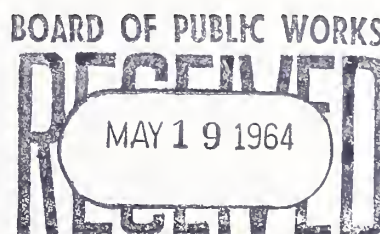
It will not be necessary to hold a public hearing because all of the property owners affected have signed waivers, which are attached.

A corrected easement grant will be required, but we recommend this resolution be confirmed immediately so American Hoist & Derrick Company can proceed with their expansion plans. The grant will be signed before the assessment roll of benefits and damages is prepared.

The description on the original petition was in error and the petitioner has filed a corrected petition, which is also attached.

Walter H. Meitz
City Engineer

DEB:is
attachs.



Signed _____

SENDER: REMOVE & KEEP 3RD COPY—RECEIVER: ANSWER & KEEP 2ND COPY—RETURN 1ST COPY

Min. Book Jan. 13 -

B.O. 9, 10, 11-'64

January 15, 1964

City Engineer

We have issued three Board Orders for the request of the American Hoist & Derrick; namely, Board Orders 9-'64, 10-'64, and 11-'64.

We are of the opinion these Grants and Dedications, etc. have not been prepared by an attorney and, before they could be recorded, would have to have executed acknowledgements. However, we are not requesting these additions to the instruments until you have had a chance to check the various descriptions. When you find same to be in order, we will have the instruments prepared properly in order that recording may be accomplished.

, Clerk

BOARD OF PUBLIC WORKS

KH:ms

B.O. 9-'64

January 15, 1964

City Engineer

Vacation - Townsend Street

We have a petition submitted by the American Hoist & Derrick Company to vacate Townsend Street running North and South from Taylor Street on the North to the North line of Rockhill Brothers Outlots on the South. Said vacation is pursuant with the opening and improving of Bright Street.

A Waiver has been signed by affected property owners.

Grant of Easement is also attached in the event of said vacation.

Prepare an opinion after conferring with all governmental agencies and utilities.

, Clerk

BOARD OF PUBLIC WORKS

KH:ms

enc.

NOTED

☒ F.S.E.
☒ R.W.D.
☐ G.F.G.

BOARD OF PUBLIC WORKS
RECEIVED
DEC 22 1964

December 21, 1964

General Telephone Company
Indiana & Michigan Electric Company
City Utilities Electric Engineering Dept.
City Utilities Water Engineering Dept.

To Whom It May Concern:

I am attaching copies of easement grants in connection with the following:

Declaratory Resolution No. 1129-1964 - Provides for the vacation of Townsend Street from the south property line of Taylor Street to its southern terminus.

Declaratory Resolution No. 1130-1964 - Provides for the vacation of the first alley south of Taylor Street from the east property line of Bright Street to the west property line of the vacated alley east of Bright Street.

These are being sent in reply to your request for an easement over the right of way to be vacated. They have been signed by all affected property owners and recorded in the office of the Allen County Recorder.

Very truly yours,

Donald E. Bodeker

Donald E. Bodeker
Office Manager

DEB:ls
attachs.

cc: Board of Works ←
Robert Keegan (2)

19004

DECL. 1129

Book

646

Page

271-13

1964 DEC 7

ALLEN COUNTY

GRANT OF EASEMENT

THIS INDENTURE WITNESSETH, That the Undersigned Grantors, each over the age of twenty-one (21) years, for and in consideration of One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged by the Grantors, do hereby CONVEY and WARRANT to the following named Grantees, and each of them, and their respective successors and assigns, namely, to-wit: INDIANA & MICHIGAN ELECTRIC COMPANY, an Indiana corporation, NORTHERN INDIANA PUBLIC SERVICE COMPANY, an Indiana corporation, GENERAL TELEPHONE COMPANY OF INDIANA, INC., an Indiana corporation, and CITY OF FORT WAYNE, INDIANA, a municipal corporation of the State of Indiana, a perpetual right of way and easement with the right, privilege and authority to the Grantees and each of them and to their respective successors and assigns (1) to construct, erect, operate, maintain, repair, renew and replace a line or lines (overhead and/or underground) with all necessary or convenient poles, crossarms, structures, conduits, ducts, wires, cables, guys and other equipment and appurtenances, for the transmission, distribution and delivery of electrical engery or other power to the Grantees and each of them and to other persons, firms and corporations and to the public in general for light, heat, power, telephone, telegraph and all other purposes whatsoever in, upon, along, over, under, through or across the real estate hereinafter described; and (2) to lay, install, construct, operate, maintain, repair, renew and replace mains and a line or lines of pipe, with all necessary and convenient services, pipes, lines, connections, meters and other equipment and appurtenances, for the transportation and distribution of gas, water and/or sewage to the Grantees and each of them and to other persons, firms and corporations and to the public in general for light, heat, power and all other purposes whatsoever in, upon, along, over, under, through or across the real estate described below and being as follows:

Beginning at a point on the south line of Taylor Street, said point being 4.6 feet west of the northeast corner of Lot No. 188, 2nd Commercial Addition to the City of Fort Wayne; thence west on the south line of Taylor Street, a distance of 56.75 feet; thence south and parallel to the west line of Vacated Townsend Street, a distance of 707.5 feet, to the southern terminus of Vacated Townsend Street; thence east by deflection left of 90 degrees, a distance of 14 feet, to a point 4.6 feet west of the east line of Vacated Townsend Street; thence north by deflection left of 90 degrees, a distance of 622.5 feet; thence in a northeasterly direction, a distance of 95.14 feet, to the point of beginning.

TOGETHER with the right, privilege and authority to the Grantees, and each of them, and their respective successors and assigns, to cut and, at their option, remove from said real estate any trees, over-hanging branches, bushes or other perennial growth or other obstructions which might endanger the safety or interfere with the use of said poles, crossarms, structures, conduits, ducts, mains, pipes, wires, cables, guys and other equipment and appurtenances or any structure on the above described real estate; of full and complete right of ingress and egress to and over the above described real estate, and to and over adjoining lands of the Grantors where a public street or highway does not adjoin the above described real estate, at any and all times, for doing anything necessary, useful or convenient for the enjoyment of the easement herein granted; and of full and complete rights, easements, privileges and appurtenances in or to said real estate which may be required for the full enjoyment of the rights herein granted. Any damages to crops, fences, drains, ditches or buildings of the Grantors on lands of the Grantors adjoining the real estate above described, caused by the construction, operation and maintenance of any of the facilities covered by this easement, shall be paid for by the Grantee or Grantees causing such damage. All claims for damages caused in the construction, operation and maintenance of said facilities, shall be made at or mailed to the office of the Grantee or Grantees alleged to have caused such damage within thirty (30) days after such damage accrue. If Grantors and Grantees cannot agree on the amount of damages, the same shall be arbitrated.

DULY ENTERED FOR TAXATION

DEC 7 - 1964

JUDITOR OF ALLEN COUNTY

Walter R. Hummer

4

will call

The Grantors reserve the use of the above described land not inconsistent with this grant.

The undersigned hereby covenant that they are the owners in fee simple of the above described real estate, are lawfully seized thereof, and have good right to grant and convey said easement herein, and guarantee the quiet possession thereof, and that the Grantors will warrant and defend the title to the said easement against all lawful claims.

These presents to be binding on the Grantors and their respective executors, administrators, grantees, successors and assigns, and upon the Grantees and their respective successors and assigns.

IN WITNESS WHEREOF, the Undersigned Grantors have executed this instrument this 29th day of October, 1964.

Grantors

Lot Number



AMERICAN HOIST AND DERRICK COMPANY

BY: Walter W. Walb
Walter W. Walb, Vice President

By: Ernest G. Dent
Ernest G. Dent, Assistant Secretary

Lot No. 188, except tri. on Northwest for Street, Lots 189 to 209, inclusive, all in 2nd Commercial Addition, Vacated Alleys,

Lot No. 18 lying west of Townsend Street, Lot No. 18-West 128.172 feet of East 586.688 feet, Rockhill Brothers Out Lots.

THE LAKE ERIE AND FORT WAYNE RAILROAD COMPANY

BY: D. E. Brummitt
Director Industrial Development & Real Estate

40 foot space-lying South of Lot No. 18, Rockhill Brothers Out Lots.

STATE OF INDIANA)
COUNTY OF ALLEN)

SS: By: Joseph Pakush
Joseph Pakush - ASSISTANT SECRETARY

Before me, the undersigned, a Notary Public in and for said County and State, this 29th day of October, 1964, personally appeared Walter W. Walb, as Vice President and Ernest G. Dent, as Assistant Secretary, respectively of American Hoist and Derrick Company and acknowledged the execution of the above and foregoing Grant of Easement as their voluntary act and deed and as the voluntary act and deed of said American Hoist and Derrick Company.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my Notarial Seal.



My commission expires: March 1, 1967

James P. Thompson
James P. Thompson, Notary Public

DULY ENTERED FOR TAXATION

This instrument prepared by Donald E. Bodeker.

7034 DEC 7 - 1964

Walter S. Summers
AUDITOR OF ALLEN COUNTY

This instrument was prepared by
DONALD E. BODEKER
Employee of The City Of Fort Wayne
on its behalf.

Grantor certifies under oath that no Indiana Gross Income Tax is due or payable in respect to the transfer made by this deed.

Before me, the undersigned, a Notary Public in and for said City and State, this 1st day of December, 1964, personally appeared D. E. Brummitt, as Director Industrial Development and Real Estate and Joseph Pakush, as Assistant Secretary, respectively, of THE LAKE ERIE AND FORT WAYNE RAILROAD COMPANY and acknowledged the execution of the above and foregoing Grant of Easement as their voluntary act and deed and as the voluntary act and deed of said THE LAKE ERIE AND FORT WAYNE RAILROAD COMPANY.

Notary Public

March 1, 1965

DULY ENTERED FOR TAXATION

7034 DEC 7 - 1964

Walter D. Summers
AUDITOR OF ALLEN COUNTY

COMPARED
WITH
PHOTOSTAT

since

1882

file

AMERICAN HOIST

& DERRICK COMPANY • FORT WAYNE PLANT
FORT WAYNE, INDIANA 46801

December 8, 1964

Mr. Fred S. Ehrman, Chairman
Board of Public Works
City Hall
Fort Wayne, Indiana

Subject: Vacation of Townsend Street

Dear Fred:

I am sure you, like me, believed that all things necessary to be done were completed for the vacation of Townsend Street. I thought the legal matters were cleaned up last spring and all that remained was for us to improve Bright Street according to our agreement with the City and Virginia-Carolina so they would have access to their plant.

As you know, Bright Street was improved last summer and subsequently accepted by the City. We were ready to close Townsend Street and found that a few details still had to be completed. It seems the easement we prepared and submitted to you early last spring was not satisfactory, although we heard nothing definite until we were ready to close Townsend Street.

Mr. Boedeker of the City Engineer's office prepared new easements which we had to send to the Wabash Railroad for their signature and, due to their merger right at that time, this was delayed about three or four weeks.

It is now my understanding everything is completed as far as we are concerned but that the City still has to have a final hearing and assess benefits and damages, or something like that, before Townsend Street is officially closed.

I would appreciate it if you would take this action as soon as possible, and it is my understanding the final hearing will find the benefits and damages equal and will be so entered officially in the records.

Mr. Fred S. Ehrman --2.

December 8, 1964

Anything you can do to help expedite this will be appreciated.

Sincerely yours,

AMERICAN HOIST & DERRICK COMPANY

A handwritten signature in dark ink, appearing to read "Walter W. Walb". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Walter W. Walb, Vice President

WWW
rb

October 23, 1964

Mr. Robert Y. Keegan
1108 Fort Wayne Bank Building
Fort Wayne, Indiana

Dear Mr. Keegan:

This has reference to the petitions you submitted for the following:

Declaratory Resolution 1129-1964 - For the vacation of Townsend Street from the south property line of Taylor Street to its southern terminus.

Declaratory Resolution 1130-1964 - For the vacation of the first alley south of Taylor Street from the east property line of Bright Street to the west property line of the vacated alley east of Bright Street.

The utility companies have advised that they will require an easement over a portion of Taylor Street and the entire width of the alley, to maintain existing facilities. It will, therefore, be necessary to have the attached easement grants signed before final action can be taken.

Please secure the necessary signatures and have these grants properly notarized. A sample of the acknowledgment is also attached.

When completed, please return them to us and the assessment rolls of benefits and damages will be prepared immediately. If further information is necessary, please contact me.

Very truly yours,

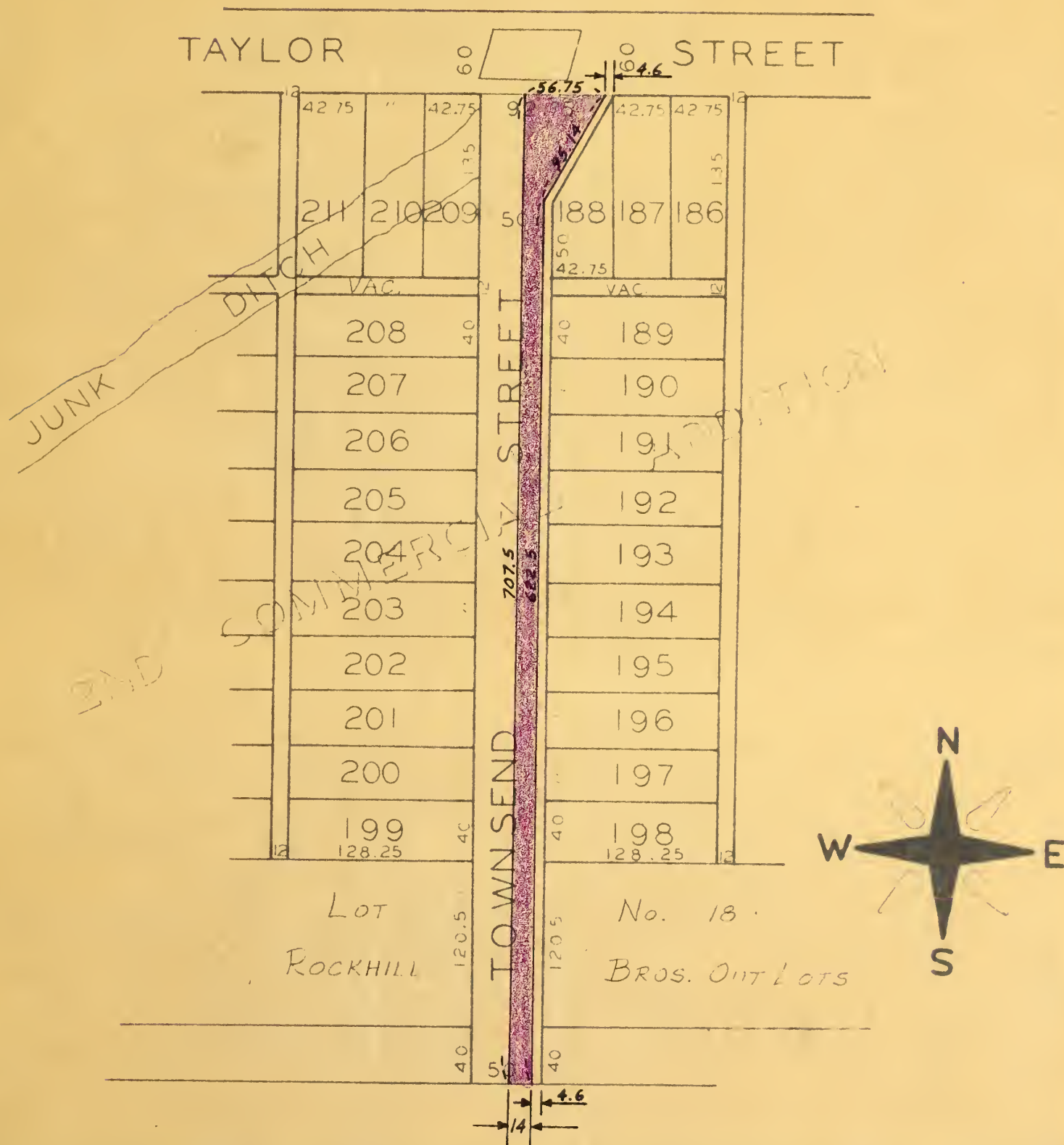
Donald E. Bodeker
Donald E. Bodeker
Office Manager

DEB:ls
cc: Board of Works
(Board Order Nos. 9 & 1-1964)

STREET TO BE VACATED

UTILITY EASEMENT

1724





STREET TO BE VACATED

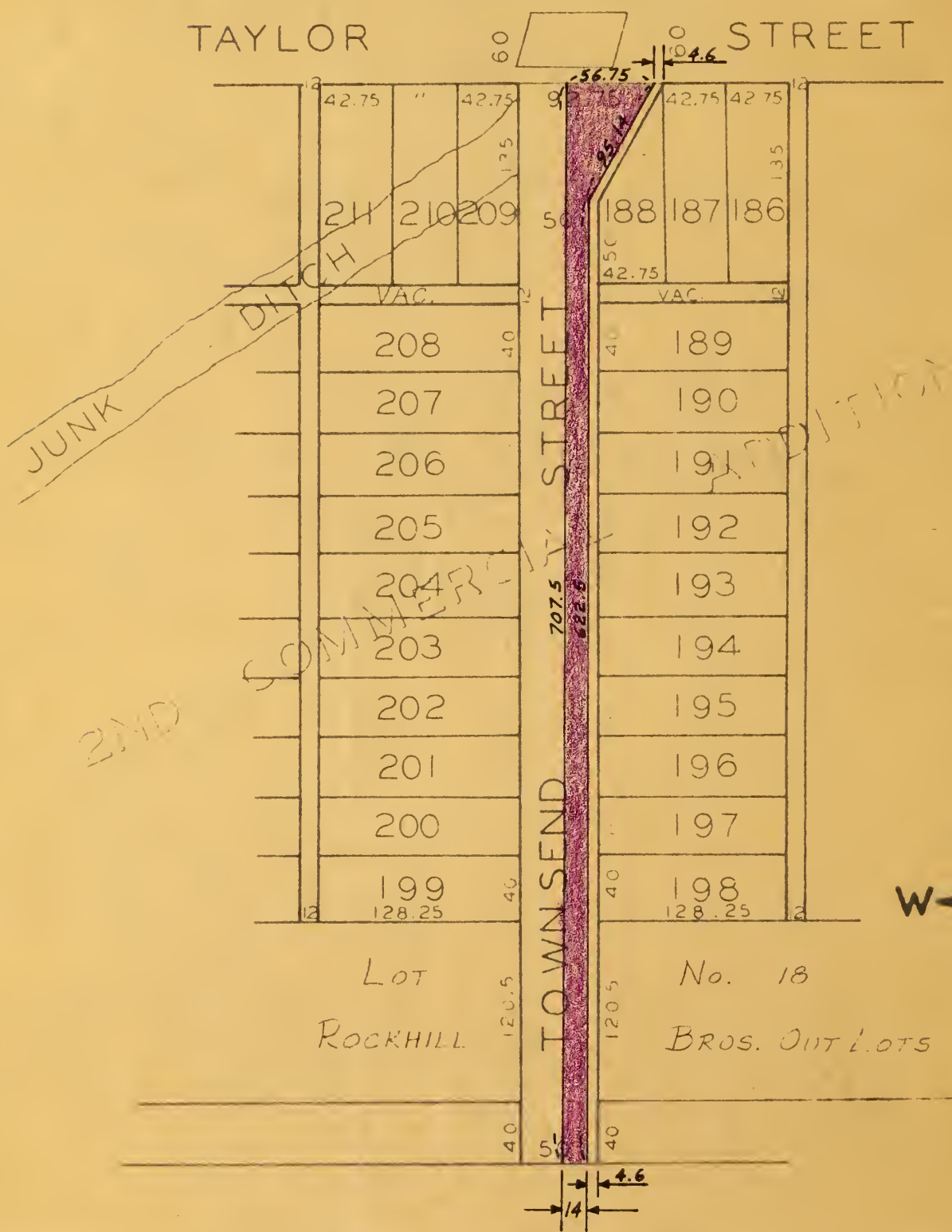


UTILITY EASEMENT

1129

TAYLOR

STREET



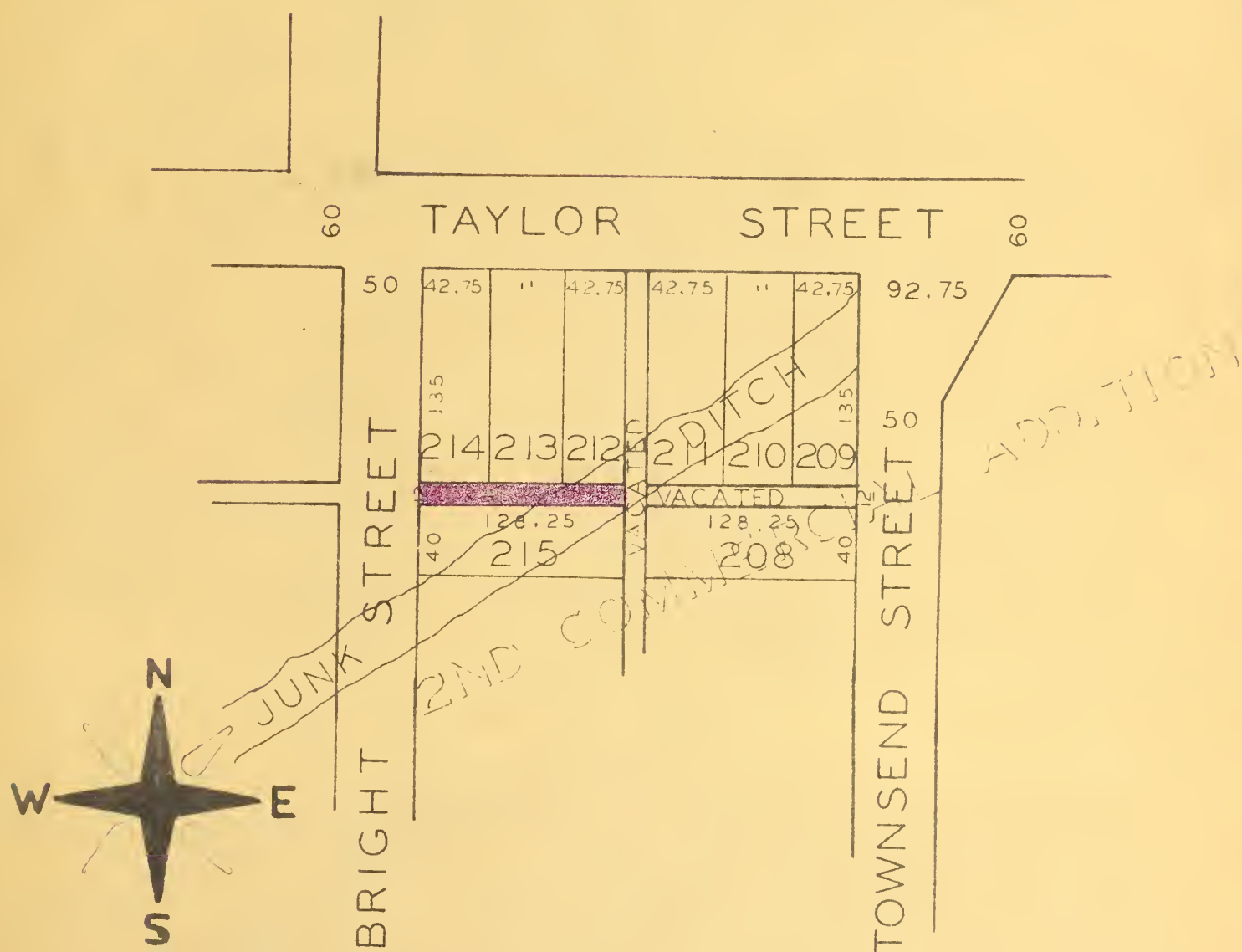
1134



PORTION OF ALLEY TO BE VACATED



UTILITY EASEMENT



W A I V E R

The undersigned, who are the only persons, firms or corporation owning property which may be injuriously or beneficially affected by the proposed vacation of streets and alleys described as follows:

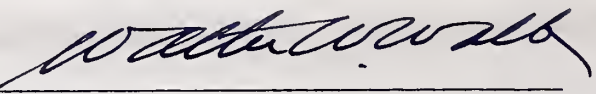
1. Townsend Street running North and South from Taylor Street on the North to a line parallel to and 40 feet South of the South line of Rockhill Brothers Out Lot 18 on the South in the City of Fort Wayne, Allen County, Indiana, and

2. The alley south of Lots 212, 213 and 214 and North of Lot 215, Second Commercial Addition to the City of Fort Wayne, Allen County, Indiana, running East and West from Bright Street on the West to the West line of the vacated alley running North and South between Townsend Street and Bright Street in the City of Fort Wayne, Allen County, Indiana,

Which proposed vacation is set out in a resolution of the Board of Public Works of the City of Fort Wayne, Indiana, numbered _____, do hereby waive any and all rights we may have to receive notices of such resolution either by publication or otherwise, do waive our right to a hearing on said resolution and do hereby waive our rights to file or present in any way any remonstrance against the action taken by said Board of Public Works under said resolution; and we do all and each of us hereby agree that said Board of Public Works may take such final action as it may be appropriate on said resolution, either confirming, modifying or rescinding said resolution and we further agree that such action so taken shall be final and conclusive on each of us.

Dated this 14 day of May, 1964.

AMERICAN HOIST & DERRICK COMPANY

By 
Vice President

W A I V E R

The undersigned, who are the only persons, firms or corporations owning property which may be injuriously or beneficially affected by the proposed vacation of streets and alleys described as follows:

1. Townsend Street running North and South from Taylor Street on the North to a line parallel to and 40 feet South of the South line of Rockhill Brothers Out Lot 18 on the South in the City of Fort Wayne, Allen County, Indiana, and
2. The alley south of Lots 212, 213 and 214 and North of Lot 215, Second Commercial Addition to the City of Fort Wayne, Allen County, Indiana, running East and West from Bright Street on the West to the West line of the vacated alley running North and South between Townsend Street and Bright Street in the City of Fort Wayne, Allen County, Indiana,

which proposed vacation is set out in a resolution of the Board of Public Works of the City of Fort Wayne, Indiana, numbered _____, do hereby waive any and all rights we may have to receive notices of such resolution either by publication or otherwise, do waive our right to a hearing on said resolution and do hereby waive our rights to file or present in any way remonstrance against the action taken by said Board of Public Works under said resolution; and we do all and each of us hereby agree that said Board of Public Works may take such final action as it may be appropriate on said resolution, either confirming, modifying or rescinding said resolution, and we further agree that such action so taken shall be final and conclusive on each of us.

Dated this 2nd day of December, 1963.

THE LAKE ERIE AND FORT WAYNE RAILROAD COMPANY

By _____

D. E. Brummitt

Director-Industrial Development & Real Estate

W A I V E R

The undersigned, who are the only persons, firms or corporation owning property which may be injuriously or beneficially affected by the proposed vacation of streets and alleys described as follows:

1. Townsend Street running North and South from Taylor Street on the North to a line parallel to and 40 feet South of the South line of Rockhill Brothers Out Lot 18 on the South in the City of Fort Wayne, Allen County, Indiana, and

2. The alley south of Lots 212, 213 and 214 and North of Lot 215, Second Commercial Addition to the City of Fort Wayne, Allen County, Indiana, running East and West from Bright Street on the West to the West line of the vacated alley running North and South between Townsend Street and Bright Street in the City of Fort Wayne, Allen County, Indiana,

Which proposed vacation is set out in a resolution of the Board of Public Works of the City of Fort Wayne, Indiana, numbered _____, do hereby waive any and all rights we may have to receive notices of such resolution either by publication or otherwise, do waive our right to a hearing on said resolution and do hereby waive our rights to file or present in any way any remonstrance against the action taken by said Board of Public Works under said resolution; and we do all and each of us hereby agree that said Board of Public Works may take such final action as it may be appropriate on said resolution, either confirming, modifying or rescinding said resolution and we further agree that such action so taken shall be final and conclusive on each of us.

Dated this 30 day of April, 1964.

VIRGINIA-CAROLINA CHEMICAL COMPANY
A Division of Socony Mobil Oil Company, Inc.

By

G. Eversman
President

Plant Manager - Fort Wayne

$\sim 10^{-8}$

1129